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PTO/SB/21 (02-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/629,192
Filing Date	07/29/2003
First Named Inventor	L. A. Koman
Art Unit	3732
Examiner Name	Not yet assigned
Attorney Docket Number	24004350.010026US

ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
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Form PTO/SB/08B; Postcard |
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard V. Wells, Reg. No. 53,757 Baker & McKenzie LLP
Signature	
Date	10/1/04

CERTIFICATE OF TRANSMISSION/MAILING

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10/1/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.
24004350.010026US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit: 3732
L. Andrew Koman, et al.)	
Serial No.:)	Examiner: Not yet assigned
10/629,192)	
Filed:)	
July 29, 2003)	
For:)	
Fixation Device and Method for)	
Treating Contractures and Other)	
Orthopedic Indications)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08B. One copy of the listed documents is submitted herewith.

 X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

 (a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); **OR**

 (b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; **OR**

 X (c) Before the mailing of a first Office action on the merits; **OR**

____ (d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

____ 2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one):

____ (a) Is accompanied by the fee set forth in § 1.17(p); **OR**

____ (b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

____ (c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

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The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Please charge any deficiencies in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 24004350.010026US).

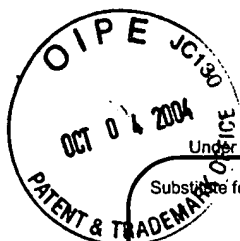
Respectfully submitted,



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Date: 1 October 2004

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/629,192
Filing Date	07/29/2003
First Named Inventor	L. A. Koman
Art Unit	3732
Examiner Name	Not yet assigned
Attorney Docket Number	24004350.010026US
Sheet 1 of 1	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PCT, Written Opinion (4 pages)	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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